

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

ELIJAH LASHAUN MOORE,

Plaintiff,

v.

GEORGE, et al.,

Defendants.

CAUSE NO. 3:22-CV-653-JD-JEM

OPINION AND ORDER

Elijah LaShaun Moore, a prisoner without a lawyer, filed a complaint against three correctional officers at the Miami Correctional Facility with unrelated claims. ECF

1. He describes two incidents on July 16, 2022, and July 19, 2022, in which his cell flooded with sewage. He alleges Officer Frances responded to the July 16 incident, and Officers George and Anderson were involved in the July 19 incident. These claims, occurring on different days and involving different officers, are unrelated. Claims in a single lawsuit must be related, either because the same defendant is involved in each claim or because the claims all stem from the same transaction or occurrence and there is a common question of law or fact. Fed. R. Civ. P. 18(a), 20(a)(2).

“[U]nrelated claims against different defendants belong in different suits,” *George v. Smith*, 507 F.3d 605, 607 (7th Cir. 2007). These two incidents involved separate defendants on separate days. Moore can bring all of these claims, but they have to be in separate lawsuits. When a plaintiff files a complaint with unrelated or mis-joined claims, the court may allow the plaintiff to decide which properly joined and related

claims to pursue in the current case and when (or if) to bring the other claims in separate suits. See *Wheeler v. Wexford Health Sources, Inc.*, 689 F.3d 680, 683 (7th Cir. 2012) (District courts may direct a plaintiff “to file separate complaints, each confined to one group of injuries and defendants.”). Moore needs to decide which related claims to bring in this case. To do so, he must put this cause number on a **Pro Se 14 (INND Rev. 2/20) Prisoner Complaint** form which is available from his law library. If he wants to pursue any other claims, he must file a separate complaint with a new case number for each unrelated group of claims.

For these reasons, the court:

(1) GRANTS Elijah LaShaun Moore until **March 1, 2023**, to file an amended complaint; and

(2) CAUTIONS Elijah LaShaun Moore if he does not respond by the deadline, the court will select a claim and dismiss any other unrelated claims.

SO ORDERED on January 25, 2023

/s/JON E. DEGUILIO
CHIEF JUDGE
UNITED STATES DISTRICT COURT